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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/674,682	11/03/2000	Peter Berric	36-1368	1560

7590 02/12/2004
Nixon & Vanderhye
1100 North Glebe Road 8th Floor
Arlington, VA 22201-4714

EXAMINER

MEHRA, INDER P

ART UNIT	PAPER NUMBER
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2666

DATE MAILED: 02/12/2004

4

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/674,682

Applicant(s)

BERRIE ET AL.

Examiner

Inder P Mehra

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 November 2000.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 13 is/are allowed.
- 6) ☒ Claim(s) 1-12 and 14-17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 3.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. This is in response to application dated: 11/2/00

Claim Objections

2. Following claims have objections, as follows:
 - a. Claims 6,7, 12 are objected to under 37 CFR 1.75(c) as being in improper form because multiple dependent claims 6, 7, 12 are, subsequent/ frequent, dependent on multiple claims . See MPEP § 608.01(n). Multiple dependency second or third time in sequence is not permissible. Accordingly, the claims 6, 7, 12 have not been further treated on the merits.
 - b. Claims 1, 2, 3, 6 and 7 are the same as claims 8, 9, 10, 11 and 12 respectively..
Appropriate correction or clarification is required.
 - c. Following limitations are not illustrated in drawings:
 - data network, as recited in claim 1 lines 1, 3, 23; claim 2 line 4; claim 6 line 21; claim 7 line 3 and 13; and also in corresponding claims 8, 9, 10, 11, and 12;
 - “interface”, recited in claims 1-12; this is not even supported by specifications.
 - “network address” in claims 1-3, 7, 8-10, 12; does this means Internet?

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- “access network”, recited in claim 13. Does it mean Internet network access?

Appropriate clarification/ correction is required.

- d. Claims 2-7 and 9-12 recite “A method” in line 1. Change it to “the method”, because it has antecedent basis in independent claims 1 and 8.

Appropriate clarification/ correction is required.

- e. Claims 15-17 recite “An interface” in line 1. Change it to “the interface”, because it has antecedent basis in independent claims 1 and 8.

Appropriate clarification/ correction is required.

Specifications

- 3. The following guidelines illustrate the preferred layout for the specification of a utility application. These guidelines are suggested for the applicant’s use.

Arrangement of the Specification

As provided in 37 CFR 1.77(b), the specification of a utility application should include the following sections in order. Each of the lettered items should appear in upper case, without underlining or bold type, as a section heading. If no text follows the section heading, the phrase “Not Applicable” should follow the section heading:

(a) TITLE OF THE INVENTION.

(b) CROSS-REFERENCE TO RELATED APPLICATIONS.

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(c) STATEMENT REGARDING FEDERALLY SPONSORED RESEARCH OR DEVELOPMENT.

(d) INCORPORATION-BY-REFERENCE OF MATERIAL SUBMITTED ON A COMPACT DISC (See 37 CFR 1.52(e)(5) and MPEP 608.05. Computer program listings (37 CFR 1.96(c)), "Sequence Listings" (37 CFR 1.821(c)), and tables having more than 50 pages of text are permitted to be submitted on compact discs.) or REFERENCE TO A "MICROFICHE APPENDIX" (See MPEP § 608.05(a). "Microfiche Appendices" were accepted by the Office until March 1, 2001.)

(e) BACKGROUND OF THE INVENTION.

(1) Field of the Invention.

(2) Description of Related Art including information disclosed under 37 CFR 1.97 and 1.98.

(f) BRIEF SUMMARY OF THE INVENTION.

(g) BRIEF DESCRIPTION OF THE SEVERAL VIEWS OF THE DRAWING(S).

(h) DETAILED DESCRIPTION OF THE INVENTION.

(i) CLAIM OR CLAIMS (commencing on a separate sheet).

(j) ABSTRACT OF THE DISCLOSURE (commencing on a separate sheet).

(k) SEQUENCE LISTING (See MPEP § 2424 and 37 CFR 1.821-1.825. A "Sequence Listing" is required on paper if the application discloses a nucleotide or amino acid sequence as defined in 37 CFR 1.821(a) and if the required "Sequence Listing" is not submitted as an electronic document on compact disc).

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Appropriate corrections are required to organize the specifications, as specified above.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

5. Claims 1-3, 7-10, 12 and 15-16 are rejected under 35 U.S.C. 102(e) as being anticipated by Soderheilm, Mattias (EP 0762707 A2), hereinafter, Mattias.

For claims 1, 8 and 14, Mattias discloses, in reference to fig. 1), “a method of providing a connection service between a terminal (personal computer) and a data network (Internet) said terminal (personal computer) and said telephone network ----connected said data network

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(Internet) through an interface (interface pool), refer to Abstract (57) on front page, page 1 lines 34-40, page 2 lines 22-24, and page 4 lines 1-3, said method comprising the steps of:

- in response to said terminal dialing an interface telephone number, -----
connection through said telephone network -----interface, (a personal
computer is connected via the telecommunication network---IP network, refer
to Abstract (57) on front page; col. 1 lines 34-36 and col. 2 lines 22-24;
- said interface ascertaining said dialed interface telephone number from said
telephone network (allows a user to connect --from telecommunication
network to the --network, refer to col. 2 lines 32-34, and filter (part of
interface) allows the calling user----access to the server (part of network)
where the access check takes place (ascertaining dialed interface telephone
number, refer to col. 2 lines 50-51);
- said interface checking that said dialed interface telephone number is one or
more valid interface telephone numbers associated with connection server
(user's IP number (dialed number) shall be blocked i.e that access only shall
be allowed to the server again, refer to col. 3 lines 4-6, col. 4 lines 5-10 and
lines 48-53 and col. 5 lines 1-6;
- in the event that said dialed interface telephone number is one of said valid
interface telephone numbers, said interface allocating a data network address
to said terminal and transmitting said address to said terminal, (allocating an
IP number, i.e IP-address, refer to col. 2 lines 44-46 and 55-58);

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- said interface (interface pool) providing a connection between said terminal and said data network, refer to col. 2 lines 31-33.

For claims 2, 9 and 15, Mattias discloses all the limitations of subject matter as recited in claims 1 and 8, as above, including limitation, “wherein in said step of said interface ---terminal- ----data network, said connection is associated with a predefined set of data network addresses in said data network”, (arranging special profiles (lists) over which IP-network addresses are allowed---for certain user---profiles are predefined-----used), refer to col. 3 lines 29-38.

For claims 3, 10 and 16, Mattias discloses all the limitations of subject matter as recited in claims 1 and 8, as above, including limitation, “each said valid interface telephone number -----pre-defined set of data network addresses, (user is by the modem pool allocated (dynamically allocated) an IP- number, i.e an IP address), refer to col. 2 lines 44-46.

For claims 7 and 12, Mattias discloses all the limitations of subject matter, as explained in paragraph 5 above, including the following limitations:

- said data network access means (interface pool) ascertaining said dialed interface telephone number, (allows a user to connect –from telecommunication network to the –network, refer to col. 2 lines 32-34, and filter (part of interface) allows the calling user----access to the server (part of network) where the access check takes place (ascertaining dialed interface telephone number, refer to col. 2 lines 50-51);

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- passing said ascertained dialed interface telephone number to said authorization means, the filter (interface pool) allows the calling user to the server where the check takes place 0, refer to col. 2 lines 49-50);
- said authentication means checking that said dialed interface telephone number is one or more valid interface telephone numbers associated with said connection service (user's IP number (dialed number) shall be blocked i.e that access only shall be allowed to the server again, refer to col. 3 lines 4-6, col. 4 lines 5-10 and lines 48-53 and col. 5 lines 1-6;
- in the event that said dialed interface telephone number is one of said valid interface telephone numbers, said authentication means causing said data network access means to allocate a data network address to said terminal and to transmit said address to said terminal, (allocating an IP number, i.e IP-address, refer to col. 2 lines 44-46 and 55-58), the user's IP number (address) shall be blocked i.e that access only shall be allowed, refer to col. 3 lines 4-6.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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7. Claims 4-6, 11 and 17 rejected under 35 U.S.C. 103(a) as being unpatentable over **Soderheim, Mattias** (EP 0762707 A2), hereinafter, Mattias, as applied to claims 1, 8 and 14 above, and further in view of **Ronen, Yzhak** (EP 0765068 A2), hereinafter, Yzhak.

For claims 4-5, , Mattias discloses all the limitations of subject matter, as explained in paragraph 5 above, with the exception of te following limitations:

- arranging a telephone network billing system to charge for access to each said valid interface telephone number at an associated pre-defined tariff, as taught by claim 4;
- said telephone network is arranged to associate said dialed interface telephone number with a further interface telephone number, said further interface telephone number being used to complete said connection, as recited by claim 5;

Yzhak discloses the following limitations:

- arranging a telephone network billing system to charge for access to each said valid interface telephone number (bill their customers, refer to col. 1 lines 20-21) at an associated pre-defined tariff, as taught by claim 4, (time- usage basis after a financial payment relationship has been established, refer to col. 1 lines 20-22), refer to col. 4 lines 50-55 ;
- said telephone network is arranged to associate said dialed interface telephone number with a further interface telephone number, said further interface telephone number being used to complete said connection, as recited by claim 5 (virtual telephone number, refer to col. 2 lines 12-25);

It would have been obvious to a person of ordinary skill in the art at the time of the invention to use the capability of billing system and further telephone number to complete the call. The capability can be implemented by combining the billing system and further telephone connection arrangement, as taught by Yzhak, with the interface. The suggestion/motivation to do so would have been to provide a payment mechanism.

For claims 6, 11 and 17, Mattias discloses all the limitations of subject matter, as explained in paragraph 5 above, including the following limitations:

- said interface ascertaining said terminal telephone number, (allows a user to connect --from telecommunication network to the --network, refer to col. 2 lines 32-34, and filter (part of interface) allows the calling user----access to the server (part of network) where the access check takes place (ascertaining dialed interface telephone number, refer to col. 2 lines 50-51);

Mattias does not disclose explicitly, the following limitations:

- said interface checking that said terminal telephone number is not one of one or more invalid terminal telephone numbers, associated with said connection, ISP collects user's Automatic Number Identification (ANI), if ----does not match the ANI provided to ISP, refer to col. 9 lines 15-20;
- in the event that said terminal telephone number is not one of said one or more invalid terminal telephone numbers-----denying a connection between said terminal and said data network (denied access (step 609), refer to col. 9 lines 20-25

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It would have been obvious to a person of ordinary skill in the art at the time of the invention to use the capability of checking the identification of the user to complete the call. The capability can be implemented by combining the authorization check up arrangement, as taught by Yzhak, with the interface. The suggestion/motivation to do so would have been to provide a secured connection after verification of identification number.

Allowable Subject Matter

8. Claim 13 is allowed.

9. The following is an examiner's statement of reasons for allowance:

The prior art does not teach or fairly suggest the limitations of the following claims:

As recited by claim 13,

“in the event that said access network connection route attribute is one of said valid access network connection route attributes, said interface allocating a data network address to said terminal and transmitting said address to said terminal”;

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled “Comments on Statement of Reasons for Allowance.”

Prior Art

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

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- Jennings et al (US Patent No. 6,430,174) discloses a communication system includes a voice sub-system and multi-media sub-system.

Conclusion

11. Any enquiry concerning this communication should be directed to Inder Mehra whose telephone number is (703) 305-1985. The examiner can be normally reached on Monday through Friday from 8:30AM to 5:00 PM.

If attempt to reach the examiner by telephone is unsuccessful, the examiner's supervisor, Seema Rao , can be reached on (703) 308-5463. Any enquiry of a general nature of relating to the status of this application or processing should be directed to the group receptionist whose telephone number is (703) 305-4700.

12. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, DC. 20231

Or faxed to (703) 872-9314.

Hand -delivered responses should be brought to Crystal Park II, 2121 Crystal drive,

Arlington, VA, sixth floor (Receptionist).

Inder Pal Mehra
Inder Mehra

January 29, 2004

DM
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FEBRUARY 12 2004